

AMENDED IN ASSEMBLY APRIL 6, 2006

AMENDED IN SENATE MAY 2, 2005

SENATE BILL

No. 1078

Introduced by Senator Simitian

February 22, 2005

~~An act to amend Sections 47632 and 47635 of the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately. An act to add Section 46001 to the Education Code, relating to pupils.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1078, as amended, Simitian. ~~Education finance: charter schools. Pupil attendance: electronic monitoring.~~

Existing law requires that attendance in all schools and classes shall be recorded and kept according to regulations prescribed by the State Board of Education or as specified.

This bill would prohibit a public school, school district, and county offices of education from issuing any device to a pupil that uses radio waves to transmit personal information, as defined, or to enable personal information to be viewed remotely for the purposes of recording the attendance of a pupil at school, establishing or tracking the location of a pupil on school grounds, or both.

~~(1) Existing law defines "sponsoring local educational agency" for purposes of provisions governing charter schools.~~

~~This bill would include within that definition, only for the purpose of transferring amounts in lieu of property taxes for pupils who reside in, and are otherwise eligible to attend school in, a basic aid school district, as defined, but who attend a charter school authorized by a~~

nonbasic-aid school district or county office of education, the basic-aid school district.

(2) Existing law requires a local educational agency that sponsors a charter school annually to transfer to each of its charter schools a prescribed amount of funding in lieu of funding available through property taxes and exempts from this requirement funding for pupils who reside in, and are otherwise eligible to attend a school in, a basic aid school district, but who attend a charter school in a nonbasic-aid school district. Existing law requires the sponsoring basic aid school district to transfer to the charter school an amount of funds equivalent to the revenue limit earned through average daily attendance by the charter school for each pupil's attendance, not to exceed the average property tax share per unit of average daily attendance for pupils residing in and attending the basic aid school district.

This bill would, commencing with the 2005-06 fiscal year, revise the manner in which the amount to be transferred by a sponsoring local educational agency, as defined above, to the charter school is determined according to specific formulas. The bill would declare that the intent of this revision is to increase the amount of local property tax revenue retained by basic aid school districts, and that any costs associated with the revision shall be offset by the increase.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: ~~yes~~ no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 46001 is added to the Education Code,
- 2 to read:
- 3 46001. (a) A public school, school district, or county office
- 4 of education shall not issue to a pupil any device that uses radio
- 5 waves either to transmit personal information remotely or to
- 6 enable personal information to be read remotely for either or
- 7 both of the following purposes:
- 8 (1) Recording the attendance of a pupil at school.
- 9 (2) Establishing or tracking the location of a pupil on school
- 10 grounds.
- 11 (b) For the purposes of this section, "personal information"
- 12 means any of the following: the name, address, telephone

1 *number, e-mail address, date of birth, religion, ethnicity,*
2 *photograph, fingerprint or other biometric identifier, school*
3 *identification number, California Identification Card number,*
4 *social security number, or any other unique identifier of the*
5 *pupil.*

6 *(c) For purposes of this section, “reader” means a scanning*
7 *device that is capable of using radio waves to communicate with*
8 *a device issued to a pupil and read the personal information*
9 *broadcast or transmitted by that device.*

10 *(d) For purposes of this section, “remotely” means that no*
11 *physical contact between a device issued to a pupil and a reader*
12 *is necessary in order to transmit personal information.*

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15 **All matter omitted in this version of the bill**
16 **appears in the bill as amended in Senate,**
17 **May 2, 2005 (JR11)**
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